Traffic Safety Act

Off-Highway Vehicles Regulations

Discussion Paper #5

January 2001

Alberta
INFRASTRUCTURE

Introduction

The new Traffic Safety Act received Royal Assent during the spring 1999 Session of the Legislative Assembly of Alberta. The Act awaits proclamation before coming into full effect.

The Traffic Safety Act is the amalgamation of four Acts: the Highway Traffic Act, Motor Vehicle Administration Act, Motor Transport Act and Off-Highway Vehicle Act. The new Act is a comprehensive, streamlined piece of legislation. This consolidated approach to road safety will provide a clearer source of information for traffic legislation than is currently in place.

A preliminary discussion paper on the Traffic Safety Act was released to stakeholders for comment in the fall of 1997. Another, more comprehensive, discussion paper was circulated to the public during the summer of 1998. The public was consulted extensively during the summer of 1998 prior to the introduction of the proposed legislation.

The new Traffic Safety Act was introduced during the 1998 Fall Session of the Alberta Legislature, for information purposes only. It was then revised to address comments received from the public and stakeholders, and reintroduced during the 1999 Spring Session for debate.

Several portions of the four current Acts will be converted to regulations under the new Traffic Safety Act to provide the means to more quickly address concerns. For example, rules of the road and vehicle equipment provisions will be moved into regulations to allow for a faster response to the changing needs of Albertans.

The issues in this discussion paper relate to off-highway vehicles. Once Alberta Infrastructure compiles all input, the draft regulations will be prepared for the government's approval. The new regulations will come into effect when the new Traffic Safety Act is proclaimed.

Off-Highway Vehicles

Off-highway vehicles are not constructed for operation on public roadways. These are any motorized vehicles designated for use on land, water, snow, ice, marsh or swampland, or artificial terrain. Off-highway vehicles include 4-wheel drive vehicles, low pressure tire vehicles, amphibious crafts, all terrain vehicles, snowmobiles or other vehicles for use over snow and ice, miniature motor vehicles, dirt bikes, mini-bikes and other 2-wheel vehicles.

Off-highway vehicles are not permitted to operate on public roadways unless the road authority provides special authorization. However, they can be operated on public lands, subject to licensing, insurance requirements, and equipment requirements.

A separate set of regulations will govern the use of off-highway vehicles and related requirements.

Issue 1

It has been proposed that Alberta replace the current license plates and renewal system with a registration and renewal system using decals.

At present, all off-highway vehicles require a license plate for their operation on public lands. However, the license plates are often not attached properly and mud or snow tends to cover them.

Do you agree with the proposal to implement a registration decal system instead of the current license plates?

- ☐ Agree
- ☐ Disagree
- ☐ No opinion

Comments:_____

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Issue 2

It has been proposed that "dirt bikes" used on public lands in the daytime should not be required to have headlights or tail lamps.

Currently all off-highway vehicles operated on public lands are required to have proper lighting. Operators of off road motorcycles, commonly known as "dirt bikes," have suggested that these bikes are used in specific areas, over rough terrain and during daylight hours.

Do you agree with the proposal to have no lighting requirements for dirt bikes during daytime?

☐ Agree ☐ Disagree ☐ No opinion

Comments:_____

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Issue 3

It has been proposed that passengers be allowed to remain on off-highway vehicles while they cross highways.

Currently all passengers must disembark from an off-highway vehicle and any vehicle or thing attached to it before an operator takes it across a highway. It has been suggested that it is safer and more practical to have passengers remain in or on the vehicle.

Do you agree with the proposal that passengers should be allowed to remain in or on off-highway vehicles while they cross highways?

☐ Agree ☐ Disagree ☐ No opinion

Comments:_____

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Issue 4

It has been proposed that operators and passengers of off-highway vehicles must be required to wear certified helmets.

At present, helmets are not mandatory when operating or riding off-highway vehicles. Through their campaigns, the Alberta Snowmobile Association and "dirt bike" clubs have successfully shown the benefits of wearing proper riding equipment, including helmets. There is a high rate of helmet usage among the members of these organizations.

However, rate of helmet usage is very low among those involved in riding quads and all terrain vehicles.

Do you agree with the proposal for a mandatory requirement for helmets for passengers and operators of off-highway vehicles?

❑ Agree ❑ Disagree ❑ No opinion

Comments:_____

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Issue 5

Current regulation does not allow any person under 14 years of age to operate an off-highway vehicle on public lands. An exception to this requirement is allowed only if an adult supervises the person under 14 either by being seated next in the vehicle, or instructs the person by staying in close proximity to the vehicle. However, the vehicle is not permitted to be on a highway.

Do you think this exemption should continue for a supervised under-aged driver of an off-highway vehicle?

❑ Yes ❑ No

Comments:_____

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Issue 5.1

If you think there should be an exemption, what should be the minimum age to operate an off-highway vehicle on public lands?

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Comments:_____

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Please include any additional issues you think we may have missed, along with your suggestions for resolving them.

Issue:

Background:

Recommendation:

Issue:

Background:

Recommendation:

Follow-up Information

To help Alberta Infrastructure analyze responses to this document, we would appreciate the following information:

Are you responding on behalf of a business, industry group or municipal organization?

- ☐ Yes
- ☐ No

If yes, please give the name of the organization:

_____ Phone Number: _____

Fax Number: _____

If no, please give your name

_____ Phone Number: _____

Fax Number: _____

This information will be used only for the purpose of mailing discussion papers on the Traffic Safety Act regulations. By providing your mailing address you will be assured of receiving all future discussion papers

Thank you for providing your opinions and ideas on this discussion paper.

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